

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

LLOYD DEE WILLIAMS
ADC # 652068

PLAINTIFF

v.

4:13CV00539-BRW

AARON DUVALL, Sheriff,
Pope County; *et al.*

DEFENDANTS

MEMORANDUM AND ORDER

On September 13, 2013, Lloyd Dee Williams (“Plaintiff”), an inmate of the Pope County Detention Center, commenced this action *pro se*, pursuant to 42 U.S.C. § 1983 (Doc. No. 2). He alleged that Defendants, officers of the Pope County Sheriff’s Office, utilized excessive force against him during his arrest (*Id.* at 5-6).

On April 1, 2014, the Court found service appropriate for all Defendants (Doc. No. 5). A copy of the order for service was mailed to Plaintiff at the address he provided the Court, but was returned as undeliverable on April 9, 2014 (Doc. No. 14). A consent notice and a Scheduling Order, both entered April 8, 2014, were also returned as undeliverable to Plaintiff on April 17, 2014 (Doc. No. 15). On April 28, 2014, the Court entered an Order directing Plaintiff to notify the Clerk of Court of his new address within fourteen (14) days (Doc. No. 16). That order was returned as undeliverable (Doc. No. 18) and Plaintiff has not otherwise responded.

Under these circumstances, the Court concludes that Plaintiff has failed to comply with Local Rule 5.5(c)(2)¹ and his Complaint should be dismissed. *See also* Fed. R. Civ. P. 41(b) (district court

¹Local Rule 5.5(c)(2) provides that:

It is the duty of any party not represented by counsel to promptly notify the Clerk and the other parties to the proceedings of any change in his or her address, to monitor the progress of the case, and to prosecute or defend the action diligently.

may dismiss case for failure to prosecute or comply with court orders); *Garrison v. Int'l Paper Co.*, 714 F.2d 757, 759 (8th Cir. 1983) (it is well settled that the district court has inherent power, acting on its own initiative, to dismiss a cause of action with prejudice for want of prosecution).

IT IS THEREFORE ORDERED THAT:

1. Plaintiff's Complaint (Doc. No. 2) is DISMISSED without prejudice for failure to comply with Local Rule 5.5(c)(2).

DATED this 5th day of June, 2014.

/s/Billy Roy Wilson
UNITED STATES DISTRICT JUDGE

A party appearing for himself/herself shall sign his/her pleadings and state his/her address, zip code, and telephone number. If any communication from the Court to a *pro se* plaintiff is not responded to within thirty (30) days, the case may be dismissed without prejudice. Any party proceeding *pro se* shall be expected to be familiar with and follow the Federal Rules of Civil Procedure.